

THE STATE OF TEXAS {}  
COUNTY OF HIDALGO {}

MUNICIPAL COURT  
MCALLEN, HIDALGO COUNTY, TEXAS

I, DET ANTONIO GARCIA, do solemnly swear that I have good reason to believe, and do believe and charge, that heretofore, on or before March 5th, 2019 A.D., in the County of Hidalgo and State of Texas, MANUEL MARTINEZ-CRUZ, hereinafter called Defendant, did then and there knowingly offer to pay a fee to another person, namely PSEUDONYM "CARLOS" for the purpose of engaging in sexual conduct, namely deviate sexual intercourse, with Pseudonym "Carlos", a person who was younger than 18 years of age, and a fee constituted money to wit: \$40.00.

PC STATEMENT

On March 6th, 2019 I, Detective Antonio Garcia #11018 responded to Sharyland North Junior High School to assist patrol officers with an incident involving three students and a custodian. I was briefed by Officer G Barajas #12552 a student, Pseudonym "Carlos", made and outcry to a coach and the assistant principal of the school. Officer Barajas advised me the custodian, Manuel Martinez-Cruz, in one incident touched Carlos and his friend's buttocks while inside a restroom. Carlos' friend's name is Pseudonym "Austin". Officer Barajas advised another incident occurred where Manuel offered Carlos \$40.00 and made a hand gesture with his right hand to make a waive-like, up and down motion in front of his (Manuel) genital area. Officer Barajas advised me of another incident in which Manuel held a closed knife to Carlos' stomach area and told him "I'm going to fucking stab you."

Officer Barajas advised that on March 5th, 2019 Carlos, Austin and his other friend, Pseudonym Roy, were eating lunch in the cafeteria, when Manuel walked behind Carlos and grabbed his ribs. The three boys then went to the restroom after eating and then saw Manuel in the restroom and confronted him about touching Carlos. Officer Barajas advised Carlos asked Manuel why he had touched him on the ribs and Manuel responded by saying, "Because I like little Mexican boys". Austin then stepped in and told Manuel "I'm going to kick you in the balls if you don't stop". Officer Barajas advised a coach by the name of Ricky Allen Woods heard Austin yelling at Manuel and walked into the restroom. Officer Barajas advised the boys told Mr. Woods what has been going on and he (Mr. Woods) told the assistant principal. A written statement was obtained from Carlos' father [redacted] stating he wishes to file charges.

On March 11th, 2019, I, Det A Garcia went by Manuel's home to speak with him about coming to the station for an interview. No contact was made and a business card was left behind. After Manuel did not call me, I called him and he answered. Manuel agreed to come into the station for an interview at 1500 hours. At 1500 hours Manuel's attorney contacted me and advised they would contact me later so Manuel could come into the station.

On March 12th, 2019, I, Det A Garcia contacted Mr. Woods and he agreed to come into the station for an interview. Mr. Woods stated that during the student's lunch hour, he is assigned a duty to check the restrooms to make sure students are not hanging around there. Mr. Woods stated he heard people arguing in the restroom and saw that Austin and Manuel were standing with in arms distance from each other and Austin appeared to be upset. Mr. Woods stated Manuel appeared to be in shock, not because of what Austin told him, but because he (Mr. Woods) walked into the restroom. Mr. Woods stated Manuel left the restroom without saying anything. Mr. Woods stated he asked the boys what was going on. Mr. Woods stated Carlos told him Manuel had grabbed him during lunch and they also told him about how Manuel offered Carlos \$40.00 for oral sex. Mr. Woods stated he told the boys that this needed to be reported to the principal.

On March 13th, 2019 I, Det A Garcia contacted Mr. [redacted] so I could interview his son, Carlos. Carlos described four separate incident that involved Manuel and his two friends. Carlos stated he recalls the first incident occurring after Christmas Break, sometime after 1-9-2019. Carlos stated he entered the restroom during lunch with Austin. Carlos stated Manuel walked in behind them and place his hands over his and Austin's buttocks. Carlos stated Manuel calls him and his friends "Gringos and you little Mexican boy".

Carlos stated on another incident after the first, Austin, Roy and him were walking to the pavilion after having lunch and saw Manuel in the custodian's closet. Carlos stated Manuel told him, "Hey Mexican boy, \$40.00" and made a hand gesture with his right hand to make a waive-like, up and down motion in front of his (Manuel) genital area. Carlos stated he knows the waive-like hand motion means Manuel wanted him to give him oral sex. Carlos stated Manuel also offered \$40.00 to Austin and made same waive-like hand motion to him.

Carlos stated on another incident the day before Valentine's Day (2-13-2019), as he was walking with his friends to the pavilion after having lunch, Manuel walked over to him from where he was outside. Carlos stated Roy and Austin were with him. Carlos stated Manuel pulled out a black foldable knife that he (Manuel) had clipped on his pocket and held it to the left side of his abdomen and told him "I'm going to fucking stab you", with a creepy smile on his face. Carlos stated although the knife was not opened, he still feared Manuel would open the knife and stab him. Carlos stated he quickly told Manuel to get away and continued walking.

Carlos stated the last incident occurred while he was having lunch with Austin and Roy and Manuel walked behind him and grabbed his ribs. Carlos stated he pushed Manuel's hand away and Manuel continued walking. Carlos stated after lunch they all went to the restroom and Manuel walked in behind them. Carlos stated they confronted Manuel about touching his ribs during lunch. Carlos stated he asked Manuel why he touched him and Manuel told him, "Because I like little Mexican boys". Carlos stated Austin got upset and told Manuel "I'm going to kick you in the balls if you don't stop". Carlos stated Manuel said "Hey chill" and shortly after Mr. Woods walked into the restroom. Carlos stated Manuel then walked out of the restroom. Carlos stated he told Mr. Woods what has been going on with Manuel and them.

On March 18th, 2019, I Det A Garcia, met with Austin for an interview. Austin stated Manuel began saying inappropriate jokes and comments to him and his friends, Roy and Carlos in the beginning of the year. Austin stated on 3-5-2019 during their lunch break, Manuel touched Carlos' back area as he was passing behind him. Austin stated after they finished eating, they all went to the restroom. Austin stated while in the restroom, Manuel walked in and Carlos told Manuel "why did you do that", referring to touching him earlier while he was eating. Austin stated Manuel replied by saying, "Because I like little Mexican boys". Austin stated he got upset and told Manuel "I'm gonna kick you in the nuts". Austin stated Coach Woods walked into the restroom and asked what was going on. Austin stated they told Coach Woods what was going on with Manuel and how he would say inappropriate things to them. Roy was present for this incident.

Austin stated one incident occurred during their lunch hour as they walked past the custodian's closet. Austin stated while walking past the closet, Manuel told Carlos that he liked little Mexican kids and Carlos told him to shut up. Austin stated Manuel then pulled out an orange knife from his (Manuel) left pocket and held it about 2-3 feet from Carlos' stomach area. Austin stated the knife was opened and Manuel told Carlos he was going to kill him. Austin stated they quickly walked away from Manuel and went outside. Austin stated Roy was present when this incident occurred.

Austin stated on another incident after they finished eating lunch, they walked past Manuel's custodian closet. Austin stated Manuel turned off the lights and told Carlos go in and pull down his pants. Austin stated Manuel tells them weird things like that almost every day when he sees them. Austin stated Manuel told Carlos "I got \$50.00, go into the closet" while making a hand gesture near his genital area as they walked past the custodian closet. Austin stated Manuel also told him to go into the closet while he (Manuel) made a hand gesture and was moving his hand up and down. Austin stated he knew what that hand gesture meant and knew Manuel wanted a sexual favor from him. Austin stated Manuel has offered him money for sexual favor about two times. Austin stated Roy was present for this incident.

Austin stated another incident occurred when he was in the restroom with Carlos. Austin stated Manuel walked in and touched his and Carlos buttocks as he walked past them. I met with Mr. [redacted] who is Austin's father. Mr. [redacted] stated he overheard Carlos and Austin talking about the incident that occurred in school on 3-5-2019 who he was driving them home. Mr. [redacted] stated he contacted the school the next day. Mr. [redacted] stated he wishes to file charges.

Based on the investigation, I respectfully request a warrant against Manuel Martinez-Cruz for Prostitution 2nd degree felony to be issued.

DEFENDANT: Manuel Martinez-Cruz, D.O.B. [redacted] HISPANIC MALE, 5-02, 150 Lbs., BLACK HAIR, BROWN EYES, TEXAS DRIVERS LICENSE NUMBER [redacted] LAST KNOWN ADDRESS [redacted] MCALLEN, TX.

AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME this 25th day of MARCH, 2019 A.D.

JUDGE, MUNICIPAL COURT  
MCALLEN, HIDALGO



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